



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

STEPHEN J. BROWN

Application No.: 09/810,865

Filed: March 16, 2001

For: **Disease Simulation System and Method**

Art Group: 2123

Examiner: Phan, Thai Q.

**INFORMATION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RECEIVED**

MAY 26 2004

REQUEST

Technology Center 2100

1. Applicant requests that the abandonment in this case be withdrawn.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of:

- ☒ the Notice of Abandonment mailed by the PTO on 05/03/2004
☐ applicant's own procedures in monitoring the progress of this case.

SUBMISSION

2. Submitted herewith is:

(check and complete each appropriate item below)

- ☒ A copy of the page of the response mailed/faxed on 04/28/2004
showing a Certificate of Mailing/Facsimile executed on 04/28/2004.
☐ A copy of the postcard identifying the papers filed and showing the
USPTO receipt stamp or the facsimile confirmation dated _____.

NOTE: "A postcard receipt which itemizes and properly identifies papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." § 504, M.P.E.P., 7th Edition.

- ☒ A copy of the complete response(s) previously filed.
☐ A copy of the cancelled check(s) referring to the response identified above.
☐ A copy of the attorney's Deposit Account Statement, in which the item corresponding to the response referred to above is noted.

STATEMENT

3. Attached hereto is a statement attesting to the timely transmission of the correspondence referred to above based on:

- ☐ personal knowledge
☒ a showing believed to be satisfactory to the Commissioner

4. Please proceed with further examination of this application on the basis of:

- ☐ The original papers filed, which have now reached the appropriate area of the PTO.

AND/OR

- ☒ The attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

5. Acknowledgment of the active status of this application is respectfully requested.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

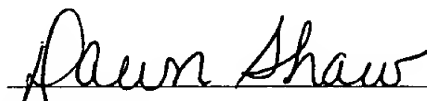
Date:

05/18/04


Andre L. Marais, Reg. No. 48,095

12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (408) 947-8200

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Dawn Shaw

5-19-04

Date

Application No.: 09/810,865 Filing Date: 3/16/2001

Docket #: 6858.P014X5

Date Mailed: 04/28/2004 Due Date(s): 01/28/2004

Client: HEALTH HERO NETWORK, INC.

Atty/Sec: GXV/ds

Title: Disease Simulation System and Method

First Named Inventor: Stephen J. Brown

The following has been received in the U.S.P.T.O. on the date stamped hereon:

Amendment: Response (16 pgs)

Certificate of Mailing

Extension of Time: three (3) months

Fee Transmittal (original & copy)

Information Disclosure Statement & PTO/SB/08 (7 pgs)

Transmittal Letter

Copies of Cited Art (57)

Check No. ☒ in the amount of \$180.00 (003084)

Check No. in the amount of \$950.00 (003085)

Postcard

Assignee: Health Hero Network, Inc.

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP
A PARTNERSHIP INCLUDING LAW CORPORATIONS
60 SOUTH MARKET STREET, SUITE 510
SAN JOSE, CA 95113-2392
(408) 947-8200

WELLS FARGO BANK

3084

11-24

1210(8)

003084

April 28, 2004

PAY ONE HUNDRED EIGHTY & NO/100

DOLLARS \$

180.00

TO THE ORDER OF
Director of the United States
Patent & Trademark Office



AUTHORIZED SIGNATURE

MP

⑈003084⑈ ⑆121000248⑆449687845⑈

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, BLEED THRU NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS.

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

Invoice: 04/28/2004 Amount: 180.00
005859.F014X5 Health Hero Networks, Inc.
GXV/ds

Additional claims filing fee

Inventor: Stephen J. Brown

Title: Disease Simulation System and Method

Filing Date: March 16, 2001

App. No. 09/810,865

003084

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP
A PARTNERSHIP INCLUDING LAW CORPORATIONS
60 SOUTH MARKET STREET, SUITE 510
SAN JOSE, CA 95113-2392
(408) 947-8200

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April 28, 2004

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DOLLARS \$
950.00

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Director of the United States
Patent & Trademark Office


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IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

Invoice: 04/28/2004 Amount: 950.00
006858.P014X5 Health Hero Networks, Inc.
GXV/ds
Extension of Time fee for patent
Inventor: Stephen J. Brown
Title: Disease Simulation System and Method
Filing Date: March 16, 2001
App. No. 09/810,865

003085



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	09/810,865
Filing Date	March 16, 2001
First Named Inventor	Stephen J. Brown
Art Unit	2123
Examiner Name	Phan, Thai Q.
Attorney Docket Number	6858P014X5
Total Number of Pages in This Submission	22

RECEIVED

MAY 2 6 2004

Technology Center 2100

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☒ Amendment / Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☒ PTO/SB/08
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Basic Filing Fee
- ☐ Declaration/POA
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Return Postcard
Copies of Cited Art (57)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	André L. Marais, Reg. No. 48,095 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	04/28/04

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Dawn Shaw		
Signature		Date	4-28-04



FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

Complete if Known

Application Number 09/810,865
Filing Date March 16, 2001
First Named Inventor Stephen J. Brown
Examiner Name Phan, Thai Q.
Art Unit 2123
Attorney Docket No. 6858P014X5

RECEIVED

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 1,130.00

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
30	20*	10	18.00
Independent Claims	3	3*	0
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claim, if not paid	
1204	88	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

*or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1404	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 950.00

SUBMITTED BY

Name (Print/Type) André L. Marais

Registration No. 48,095
(Attorney/Agent)

Complete (if applicable)

Telephone (408) 947-8200

Signature

Date

06/29/04